

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CRIMINAL NO. 1:CR-03-251-05

V.

MICHAEL MCKINNON

ORDER

The background of this order is as follows:

On February 29, 2012, the Federal Public Defender's Office filed a motion to reduce the captioned Defendant's sentence pursuant to Amendment 750, 18 U.S.C. § 3582 (doc. 721). On March 1, 2012, Standing order 11-3 was issued appointing the Federal Public Defender to represent Defendant in this matter (doc. 722). On March 12, 2012, Defendant filed, *pro se*, a document entitled "Letter/Motion to Withdraw Motion Filed By Court-Appointed Counsel Under 18 U.S.C. § 3582(c)(2)" (doc. 723). On March 13, 2012, the Federal Public Defender filed a motion to withdraw the motion for reduction (doc. 721), pursuant to Defendant's request. That motion was granted by order dated March 14, 2012 (doc. 725).

Presently before the court is a *pro se* motion by Defendant for clarification of this court's March 14, 2012 order (doc. 726) in which he states that the court order of March 14, 2012 did not address his request to file a later *pro se* motion pursuant to 18 U.S.C. § 3582, and also requests *pro se* status. Nowhere in Defendant's initial request to withdraw is there a request for permission to file a *pro se* motion at a later date. There is no prohibition to Defendant filing such a motion *pro se*.

IT IS THEREFORE ORDERED THAT the Clerk of Court shall withdraw the appearance of the Federal Public Defender as counsel for Defendant and shall mark the docket accordingly. Defendant is permitted to proceed *pro se*, but is hereby advised that any motion to reduce filed by him shall be limited to the parameters set forth in Amendment 750, 18 U.S.C. § 3582.

s/Sylvia H. Rambo
United States District Judge

Dated: March 28, 2012.